

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In Re: Methyl Tertiary Butyl Ether ("MTBE")
Production Liability Litigation

Master File No.: 1:00-1898 (SAS)

MDL 1358 (SAS)
M21-88

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This document relates to:

Suffolk County Water Authority v. Amerada Hess Corp., et al.,
(04 Civ. 3417)
United Water New York v. Amerada Hess Corp., et al.,
(04 Civ. 2389)

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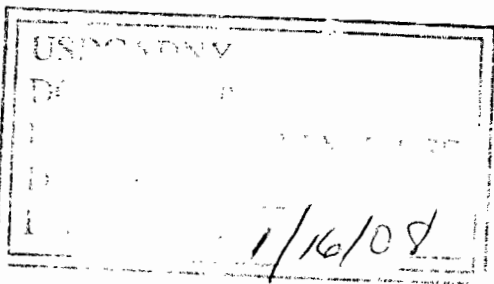
**STIPULATION AND ORDER DISMISSING
ADDITIONAL CLAIMS AGAINST
GETTY PETROLEUM MARKETING INC.**

The undersigned counsel for Suffolk County, Suffolk County Water Authority, and United Water of New York and Getty Petroleum Marketing Inc. ("GPMI") hereby agree on behalf of the parties that:

1. Plaintiffs voluntarily dismiss the following claims without prejudice as against GPMI:
In Re: Methyl Tertiary Butyl Ether ("MTBE") Products Liability Litigation (a) the G.B.L. §349 claim and (b) claims involving the wells that are the subject of CMO No. 34 (the "trial wells") to the extent the theory of liability as to those wells is based on either a commingled product/joint industry liability theory and/or there are no GPMI owned, operated or controlled service stations in or in reasonable proximity to the capture zone of the trial wells, as identified by experts in this matter.

2. Plaintiffs expressly reserve all remaining claims alleged in their complaint against GPMI, and GPMI expressly reserves all defenses asserted in its Master Answer relating thereto.

3. Should Plaintiffs subsequently discover any inaccuracies in the Getty Admissions and/or information that conflicts with the Admissions, then Defendant GPMI consents to allow Plaintiffs to amend their complaint to reinstate the said claims against GPMI. Reinstatement will not



be a basis for the delay of the current trial date in the Suffolk County focus case. GPMI reserves all rights and defenses with respect thereto.

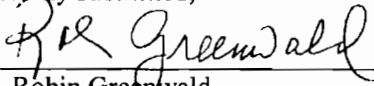
4. Should any of the claims above be reinstated, Defendant GPMI agrees that the statute of limitations is tolled with respect to said claims between the date of the filing of the Summons with Notice on October 31, 2003, and the date of such reinstatement.

5. In light of the foregoing, GPMI's deadline to file an exculpation motion, if any, is adjourned to January 25, 2008.

Dated: January 14, 2008

Respectfully submitted,

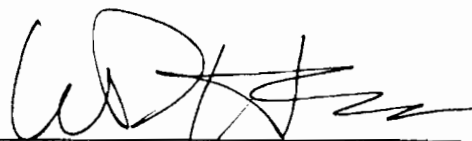
BY:


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*Attorneys for County of Suffolk and
Suffolk County Water Authority and
United Water of New York*

Dated: January 14, 2008

BY:



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Attorneys for Getty Petroleum Marketing Inc.

Dated: January 15, 2008

SO ORDERED:


U.S.D.J.